



City of Burlington, VT  
149 Church Street, 3<sup>rd</sup> Floor  
Burlington, VT 05401  
Phone: (802) 865-7144

[www.burlingtonvt.gov/plan](http://www.burlingtonvt.gov/plan)

**TO:** Burlington City Council  
Mayor Weinberger

**FROM:** Meagan Tuttle, AICP, Director, Office of City Planning  
Scott Gustin, AICP, Principal Planner & Zoning Division Manager, DPI

**DATE:** February 17, 2022

**RE:** Proposed CDO Amendment ZA-22-01: Historic Preservation Rehabilitation Bonus

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## **Overview & Background**

The following proposed amendment to the *Burlington Comprehensive Development Ordinance (CDO)* is a companion to ZA-21-04 Adaptive Reuse Definitions, which proposes to revise the definition of the term "adaptive reuse" to be consistent with standard historic preservation practice. As is noted in the staff memo for ZA-21-04, following its referral to the City Council for first reading, Planning and DPI staff noted a potential conflict with *Sec. 4.4.5(d) 6. B*, and recommends that the CDO dispense with the use of the term in *Sec. 4.4.5(d) 6. B - Adaptive Reuse Bonus*, and instead move this language to *Sec. 5.4.8*. This change ensures that the bonus is co-located with other provisions related to historic buildings, and makes it applicable in the Institutional District which, aside from the institution's campuses, also has a predominantly residential character and scale. The amendment maintains allowable bonuses for residential areas, but makes clarifications to the maximum bonus allowed in order to be consistent with the maximums permitted in *Article 9: Inclusionary and Replacement Housing*.

## **Proposed Amendment**

### **Amendment Type**

Text Amendment	Map Amendment	Text & Map Amendment
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### **Purpose Statement**

The intent of the proposed amendment is to correct a conflict in the use of terms regarding the adaptive reuse of historic buildings and applicable development bonuses intended to encourage their reuse and rehabilitation, and expand such bonuses into the Institutional District where applicable.

### **Proposed Amendments**

The following amendments to the *Burlington Comprehensive Development Ordinance* are included in this proposal:

1. Move *Sec. 4.4.5(d) 6. B - Adaptive Reuse Bonus* to become *Sec. 5.4.8(e)*, rename it to *Historic Building Rehabilitation Bonus*, and make it applicable in the Institutional District in addition to the Residential Districts.
2. Correct references to *Sec. 5.3.4 Nonconforming Uses, (a) Changes and Modifications*.
3. Adjust *Table 4.4.5-8: Maximum Density, Lot Coverage and Building Heights with Bonuses* to be consistent with the allowances in *Article 9*.

**Relationship to planBTV**

*This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).*

<b>Theme</b>	Dynamic	<b>Distinctive</b>	Inclusive	Connected
<b>Land Use</b>	<b>Conserve</b>	Sustain	Grow	

Compatibility with Proposed Future Land Use & Density

The proposed amendment does not impact the types or density of potential land uses.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety or affordability.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

**Process Overview**

The following chart summarizes the current stage in the zoning amendment process, and identifies any recommended actions:

<b>Planning Commission Process</b>				
Draft Amendment prepared by: Staff	Presentation to & discussion by Commission 9/14/21	Approved for Public Hearing 9/14/21	Public Hearing 11/9/21	Approved & forwarded to Council 11/9/21
<b>City Council Process</b>				
First Read & Referral to Ordinance Cmte 12/20/21	Ordinance Cmte discussion 1/19/22	Ordinance Cmte recommend as is	<b>Second Read &amp; Public Hearing 2/22/22</b>	CCOC Recommends Approval & Adoption
				Rejected